HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12188 of 2007

Dated:18.06.2007

Between:

Sri Ryakala Chinna Narsimulu.

…Petitioner

and

The District Collector, Medak and others.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12188 of 2007

ORDER:

The petitioner, who is cultivating the land admeasuring Acs.5.00 in survey No.139/1 situated at Kagazimaddur Village of Narsapur Mandal in Medak District belonging to Smt.Amrutamma, W/o late Ganga Reddy, entered into lease deed, dated 11.07.2002. The third respondent initiated action under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'). After following the due process, he passed orders on 23.02.2007, ordering resumption of the land on the ground that the petitioner was found to be in occupation of the land in contravention of the provisions of Section 3(2) of the Act. Without availing the remedy of appeal under Section 4-A of the Act, or revision under Section 4-B of the Act, the petitioner approached this Court challenging the order of the Mandal Revenue Officer, Narsapur. The ground urged in favour of the petitioner is that even before the appeal time expired, there was a threat of dispossession from the land with crop.

After hearing the learned counsel for the petitioner, this Court is not able to countenance his submission that the delay on the part of the petitioner in approaching the appellate authority under Section 4-A of the Act is not a ground for admitting the Writ Petition. As stated in the affidavit accompanying the writ petition, the petitioner was issued a show cause notice, dated 09.01.2007, and an order was passed on 23.02.2007. Therefore, the petitioner is given liberty to file an appeal before the second respondent within a period of one week and also

move an application for appropriate interim orders. In this Writ Petition no relief can be granted.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

18.06.2007

GJ